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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,532	12/19/2005	Ronald Dekker	NL02 1153 US	9985

24738 7590 03/29/2007  
PHILIPS ELECTRONICS NORTH AMERICA CORPORATION  
INTELLECTUAL PROPERTY & STANDARDS  
1109 MCKAY DRIVE, M/S-41SJ  
SAN JOSE, CA 95131

EXAMINER
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DURBIN, MICHAEL H

ART UNIT	PAPER NUMBER
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2815

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/561,532	DEKKER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael Durbin	2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 2,8,10,12 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,3,4,5,6,7,9, and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>19 December 2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

2. The specification is objected to under 35 USC 1.75 (c)(1) for failing to have a proper antecedent basis in the specification for the material in the claims.

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3. Claims 5 and 6 are objected to because of the following informalities:

For claim 5, the term "a first electrode" refers to an item in claim 1, so the term must continue to refer to the same element in each claim.

For claim 6, the term "the substrate" lacks antecedent basis in the claims.

Appropriate correction is required.

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 1 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

- As for claim 1, the functional layer is considered to be vague and undefined. Additionally there are no representations of the functional layer found in the drawings, and no suggestions, teachings, or figures indicating the location or orientation of the functional layer of the instant invention. There is also no indication as to what comprises the materials for the functional layer.

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- As for claim 5, the capacitor as mentioned comprising a pixel electrode is not seen in the figures and is not adequately disclosed in the specification what substrate has these materials and how the materials are distributed.
- Finally claim 6, recites the limitation "the substrate" in the second line of the claim. There is insufficient antecedent basis for this limitation in the claim. Further there is no indication found in the drawings, and no suggestions, teachings, or figures indicating the location or orientation of the various dielectric regions of the instant invention.

***Claim Rejections - 35 USC § 102***

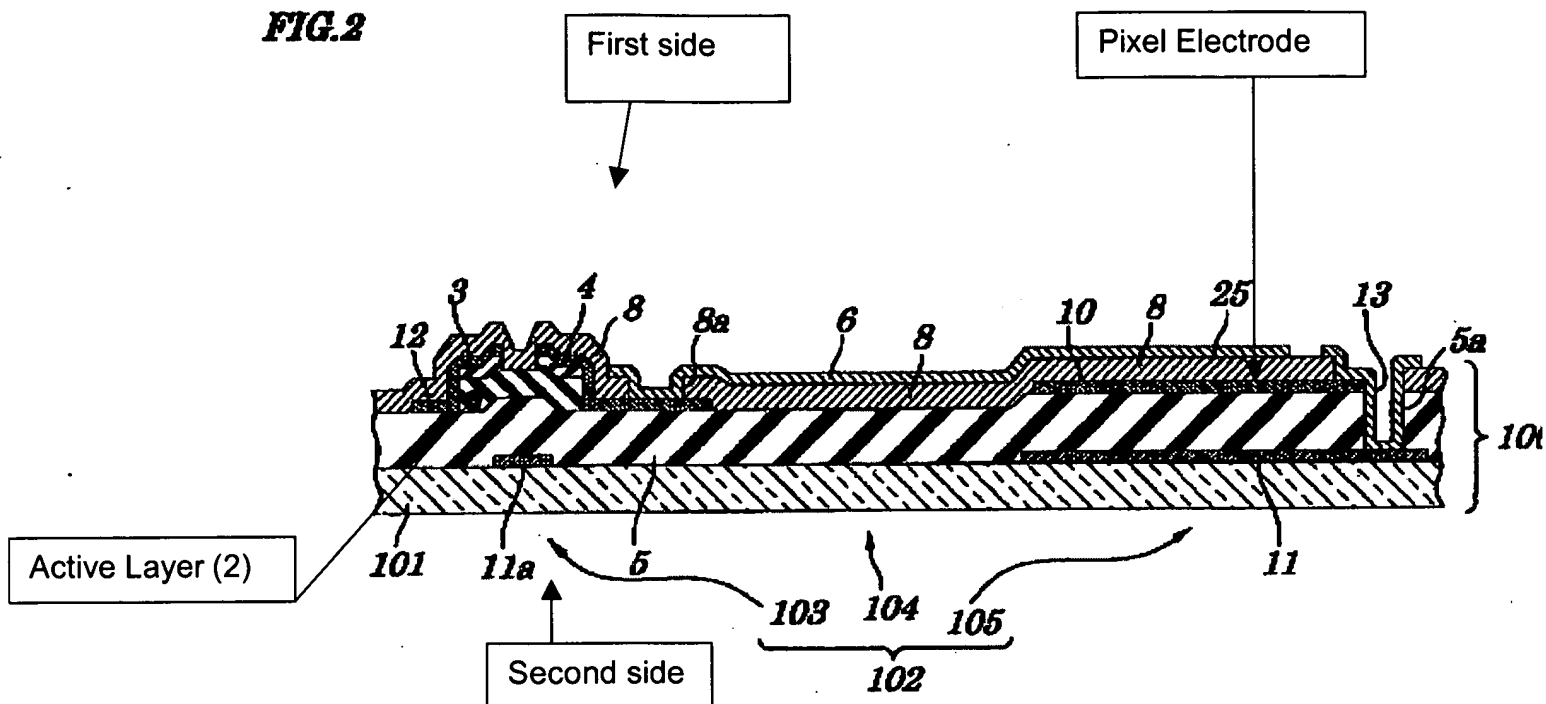
7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. **Claims 1, 3, 4, 5, 7, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ihara (USPAT 6,894,734 B1) (hereinafter Ihara).**

**FIG. 2**



As for claim 1, Ihara discloses (cols. 10-12) and shows (figs. 2 and 20) a flexible (all materials have some inherent flexibility) monolithic (substrate; 110 of fig. 2) electronic device provided with an insulating layer of electrically insulating material (5) having a first side and an opposed second side, which insulating layer is provided with a first aperture (5a) extending from the first to the second side; an active layer of a semiconductor material (2; figs. 3-7 show manufacturing method, col. 12, lines 5-8) on the first side of the insulating layer, in and on which active layer at least one switching element is defined (TFT with gate electrode 11a, with source and drain contacts 3 and 4), which element is provided with a first electrode in the active layer (4, 6); a flexible coating acting as a protective cover for the at least one switching element (8), a functional layer (11) being present on the second side of the insulating layer and being connected to the first electrode (8) through the first aperture (mechanically connected

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via dielectric 5; electrically connected via a capacitance between conductors 11, 13, and 10 and conductors 4 and 6) in the insulating layer.

As for claim 3, Ihara discloses a flexible electronic device as further characterized in that the functional layer is an electro-optical layer (and electrode in a liquid crystal display device; col. 11, lines 55-57) which constitutes, in conjunction with a switching element (TFT portion 103), a display device (applicant's display pixel) (103, 104, and 105; col.10, lines 39-44).

As for claim 4, Ihara discloses a flexible electronic device further comprising an electrically conductive layer (10) present between the active layer (2) and the functional layer (11) in which conductive layer a pixel electrode (10) is defined.

As for claim 5, Ihara discloses and shows a flexible electronic wherein a display pixel further comprises a capacitor with a first and a second electrode and a dielectric, which first electrode is present in the electrically conductive layer (10) and which second electrode is defined in the active layer (4, 6) with the insulating layer (8) acting as the dielectric.

As for claim 6, Ihara discloses and shows a flexible electronic wherein a substrate (110) is provided with a high-K area (SiN layer 8) and with a low-K area (SiO<sub>2</sub>

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layer 5), which high-K area acts as the dielectric of the capacitor.

As for claim 7, Ihara discloses and shows a flexible electronic device characterized in that the switching element (TFT with gate electrode 11a, with source and drain contacts 3 and 4) is part of an array of switching elements (TFT array substrate, 100) present in and on the active layer (2), which array is driven by a driving circuit (103) comprising an integrated circuit of circuit elements present in and on the active layer.

As for claim 9, Ihara discloses that the flexible device is an apparatus.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue, in further view of E Ink Corp (WO 02/073572; listed in applicant's IDS) (hereinafter E Ink).**

As for claim 11, Inoue discloses the claimed invention except Inoue does not



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explicitly state the limitation such as a rollable cartridge comprising flexible electron device of Inoue.

E Ink teaches the use of a housing analogous to a rollable cartridge comprising flexible devices (fig. 1; pg. 4 final paragraph – pg. 5 second paragraph).

Sankin is evidence that ordinary workers in the art would find a reason, suggestion, or motivation to use a rollable cartridge comprising flexible devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Inoue by using a rollable cartridge comprising flexible devices, since such a housing would help to prevent environmental hazards from damaging the display devices concealed within the tube.

Accordingly claim 11 would have been obvious.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Durbin whose telephone number is (571) 272-9766. The examiner can normally be reached on M-T 7:30-5; 1st Fri. of biweek off, 2nd 7:30-4.

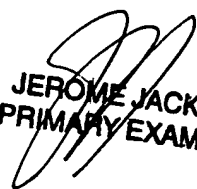
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Parker can be reached on (571) 272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Durbin  
Examiner  
Art Unit 2815

MHD

  
JEROME JACKSON  
PRIMARY EXAMINER